

**Bernard J. Kornberg (CSB. 252006)**  
**SEVERSON & WERSON**  
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**Admitted *Pro Hac Vice***

**Hearing Date and Time: To Be Set By Court**  
**Deadline to Respond: To Be Set By Court**

***Counsel for Ocwen Loan Servicing, LLC***  
***and Mira Smoot***

**UNITED STATES BANKRUPTCY COURT**  
**SOUTHERN DISTRICT OF NEW YORK**

In re:

Residential Capital, LLC,

Debtors.

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Ocwen Loan Servicing, LLC and Mira Smoot,

Movants,

Erlinda Abibas Aniel,

Respondent.

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Case No. 12-12020 (MG)

Chapter 11


Jointly Administered

**DECLARATION OF KRISTINE K. LOFRESE**

I, Kristine K. Lofrese, state and declare as follows:

1. I am Legal Assistant for Ocwen Financial Corporation, the parent company of Ocwen Loan Servicing, LLC ("Ocwen").
2. On January 21, 2016, the county sheriff arrived at Ocwen's offices in Fort Washington, PA.
3. I am employed in this office.
4. The sheriff informed the receptionist that he was there to serve a subpoena on Ocwen.
5. As part of Ocwen's legal team, I accepted the subpoena on behalf of Ocwen.
6. A copy of this subpoena is attached to this declaration as Exhibit A.
7. To my knowledge, No proof of service of the subpoena has ever been provided to Ocwen.
8. No witness fees were tendered by the sheriff when he served the subpoena.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed January 27, 2016, at Fort Washington, Pennsylvania.

  
Kristine K. Lofrese

UNITED STATES BANKRUPTCY COURT

Southern

District of New York

In re Residential Capital, LLC  
Debtor

Case No. 12-12020

(Complete if issued in an adversary proceeding)

Chapter 11

Erlinda Abibas Aniel

Plaintiff

v.

Adv. Proc. No.

GMAC Mortgage, LLC; ETS Services, LLC

Defendant

SUBPOENA TO TESTIFY AT A DEPOSITION  
IN A BANKRUPTCY CASE (OR ADVERSARY PROCEEDING)

To: Mira Smoot

(Name of person to whom the subpoena is directed)

☒ **Testimony:** YOU ARE COMMANDED to appear at the time, date, and place set forth below to testify at a deposition to be taken in this bankruptcy case (or adversary proceeding). If you are an organization, you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about the following matters, or those set forth in an attachment:

PLACE

Veritext 1801 Market Street Suite 1800, Philadelphia, PA 19103

DATE AND TIME

January 29, 2016 9:00 a.m.

The deposition will be recorded by this method:

Transcript

☐ **Production:** You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

The following provisions of Fed. R. Civ. P. 45, made applicable in bankruptcy cases by Fed. R. Bankr. P. 9016, are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and 45(g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 1/11/16

Vito Genna  
CLERK OF COURT

  
Signature of Clerk or Deputy Clerk

OR

\_\_\_\_\_  
Attorney's signature

The name, address, email address, and telephone number of the attorney representing (name of party)

Erlinda Abibas Aniel, who issues or requests this subpoena, are:

Erlinda Abibas Aniel, Pro Se, 75 Tobin Clark Dr, Hillsborough, CA 94010, bootsaniel1952@yahoo.com 650-2846417

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things, or the inspection of premises before trial, a notice and a copy of this subpoena must be served on each party before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).